

III. REMARKS

The Examiner is thanked for extending the courtesy of a telephone interview on March 7, 2005. During this interview, it was conceded by the Examiner that the requirement for providing the text of cancelled claims is incorrect and a withdrawal of the Notice of Non-Compliance will be mailed. This was repeated in a telephone message left for applicants' attorney on March 8, 2005.

In particular, 37 CFR 1.121(c)(4)(i) provides:

*(4) When claim text shall not be presented;
cancelling a claim.*

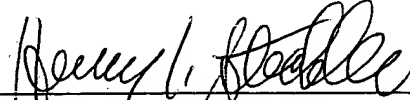
*(i) No claim text shall be presented for any
claim in the claim listing with the status of
"cancelled" or "not entered"*

Thus, it is clear that the text of cancelled claims need not be in an amendment. Hence, the amendment filed January 10, 2005 is in proper form, with the exception of claims 6, 26 and 41 where the status identifier "Previously Cancelled" is changed to "Cancelled".

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,


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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date indicated below as first class mail in an envelope addressed to MAIL STOP AMENDMENT, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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